

**SUPREME COURT MINUTES
TUESDAY, FEBRUARY 3, 1998
SAN FRANCISCO, CALIFORNIA**

S066175 People, Respondent
4th Dist. v.
E017322 Trino Villa Mendez, Appellant
Div. 2 Appellant's petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.

S066735 Cel-Tech Communications, Inc. et al., Appellants
2nd Dist. v.
B094578 Los Angeles Cellular Telephone Co., Respondent
Div. 3 Petitions for review GRANTED.

George, C.J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S059100 People, Respondent

2nd Dist. v.

B100125 Lance Smith, Appellant

Div. 2 The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Howard* (1997) 16 Cal.4th 1081.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S064386 People, Respondent

2nd Dist. v.

B106041 Katherine K. Redmon, Appellant

Div. 5 The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and to reconsider the cause in light of *People v. Howard* (1997) 16 Cal.4th 1081.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S067090 Robert Eli, Petitioner

v.

Andrea T. Wachter et al., Respondents

Petition for writ of mandate DENIED.

S066917 In re Stephen Edward Hajek
 on
 Habeas Corpus

The petition for writ of habeas corpus requesting *immediate* appointment of counsel, filed by this court on December 31, 1997, is denied. Counsel will be appointed in due course. (*People v. Holt* (1997) 15 Cal.4th 619; *People v. Horton* (1995) 11 Cal.4th 1068, 1141.)

1st Dist. People, Respondent
A071827 v.
Div. 2 Brad Earl Crawford, Appellant
S066169 Respondent's petition for review DENIED.

1st Dist. Harry Ewing et al., Appellants
A074828 v.
Div. 4 Michael Trautman et al., Respondents
S066323 Petition for review DENIED.

1st Dist. Gerald Grahn et al., Respondents
A075345 v.
Div. 2 Tosco Corporation, Appellant
S066577 Respondents' petition for review DENIED.

1st Dist. People, Respondent
A075670 v.
Div. 1 Jason L. Sumpter, Appellant
S066871 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A075804 v.
Div. 5 Alan Huey, Appellant
S066801 Appellant's petition for review DENIED.

1st Dist. Christopher T. Lane, Appellant
A075814 v.
Div. 1 Western Athletic Clubs Inc., Respondent
S066662 Petition for review DENIED.

1st Dist. A075888 Div. 2 S067032	People, Respondent v. Daniel Anthony Nardello, Appellant Appellant's petition for review DENIED.
1st Dist. A076155 Div. 5 S066924	People, Respondent v. Lonnie David Stringer, Appellant Appellant's petition for review DENIED.
1st Dist. A076458 Div. 5 S066962	People, Respondent v. Derek Kimble, Appellant Appellant's petition for review DENIED.
1st Dist. A076929 Div. 1 S066633	Anchor Brewing Company et al., Appellants v. City and County of San Francisco et al., Respondents Christian Barbe et al., Real Parties in Interest Appellants' petition for review DENIED.
1st Dist. A080514 Div. 2 S066295	Leotus Armstrong, Petitioner v. Contra Costa County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
1st Dist. A080902 Div. 5 S066851	In re Michael Leon Hiser on Habeas Corpus Petition for review DENIED.
1st Dist. A081328 Div. 3 S067650	Redbud Community Hospital, Petitioner v. San Francisco County Superior Court, Respondent People et al., Real Parties in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B083370 v.
Div. 6 James R. Centobene, Appellant
S055004 Appellant's petition for review DENIED.

2nd Dist. Sandy Veigh and Vuelta International et al., Respondents
B090339 v.
Div. 3 MCA Incorporated and Universal City Studios et al., Respondents
S066463 Appellants' petition for review DENIED.

2nd Dist. Aurelio Cervanties Morales, Appellant
B093643 v.
Div. 3 City of Los Angeles et al., Respondents
S066616 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B098423 v.
Div. 3 Kevin Banks, Appellant
S065871 Appellant's petition for review DENIED.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed October 14, 1997, which appears at 58 Cal.App.4th 513. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. People, Respondent
B098599 v.
Div. 7 An Thanh Vong, Appellant
S066326 Petitions for review DENIED.

2nd Dist. People, Respondent
B099253 v.
Div. 4 Earl Sylvester Springette et al., Appellants
S066071 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B099677 v.
Div. 7 Vincent Chris Bruce, Appellant
S066950 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Southern California Edison Company, Petitioner
B099684 v.
Div. 7 Workers' Compensation Appeals Board, Respondent
S059897 Gary A. Tate, Respondent
Petition for review DENIED.

2nd Dist. William C. Clevenger, Respondent
B100046 v.
Div. 7 Jack Rodri, Appellant
S066850 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B101028 v.
Div. 2 Vincent Blackburn, Appellant
S066992 Appellant's petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

2nd Dist. Mustari Aktar et al., Respondents
B101267 v.
B106453 Eloise Anderson, Appellant
Div. 3 And Companion Case
S066375 Petition for review DENIED.

2nd Dist. People, Respondent
B102452 v.
Div. 5 Neil Woodman, Appellant
S065949 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B102520 v.
Div. 3 Juan Sanchez Ayala, Appellant
S066302 Appellant's petition for review DENIED.

2nd Dist. Steven Adler, Appellant
B103290 v.
Div. 3 Manatt Phelps Phillips & Kantor et al., Respondents
S066607 Petition for review DENIED.

2nd Dist. B104195 Div. 4 S066814	People, Respondent v. David E. Reyes, Appellant Appellant's petition for review DENIED.
2nd Dist. B104261 Div. 3 S066388	People, Respondent v. Fred Fox, Appellant Appellant's petition for review DENIED.
2nd Dist. B104511 Div. 2 S066590	Richard Lowe, Appellant v. City of Commerce, Respondent California Commerce Club Inc., Respondent Appellant's petition for review DENIED.
2nd Dist. B104912 Div. 3 S066760	People, Respondent v. Mario Alberto Meza, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B105270 Div. 6 S066150	People, Respondent v. Benjamin A. Perez, Appellant Appellant's petition for review DENIED.
2nd Dist. B105416 Div. 3 S066925	Clarence M. Hyshaw, Appellant v. Centinela Hospital Association et al., Respondents Appellant's petition for review DENIED.
2nd Dist. B105530 Div. 7 S066779	People, Respondent v. George Howard Wilson, Appellant Appellant's petition for review DENIED.
2nd Dist. B105535 Div. 5 S066880	People, Respondent v. Pete Madrid Gomez, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B105853 v.
Div. 3 Beverly Rodeo Development Corporation et al., Appellants
S066969 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B106007 v.
Div. 3 Terrance Adam Bethea, Appellant
S066756 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106031 v.
Div. 4 Victor A. Orellana, Appellant
S067010 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106035 v.
Div. 7 Thomas Lee Crutcher, Appellant
S066024 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed October 27, 1997, which appears at 58 Cal.App.4th 1002. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. Bernice Cheng et al., Appellants
B106307 v.
Div. 3 Glendale Federal Savings and Loan et al., Respondents
S066853 Appellants' petition for review DENIED.
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B106522 v.
Div. 2 Johnny B. Milton, Appellant
S066963 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106528 v.
Div. 6 Reynaldo Villagomez, Appellant
S066878 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106554 v.
Div. 3 Frank Estrada Rodriguez, Appellant
S066863 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107073 v.
Div. 5 Derrick, Lavell Ester, Appellant
S066791 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107076 v.
Div. 6 David Phillips, Appellant
S067141 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B107610 v.
Div. 1 Arturo Pineda Borboa, Appellant
S066739 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B108328 v.
Div. 4 Wendell L. Lee, Appellant
S066867 Appellant's petition for review DENIED.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed November 19, 1997, which appears at 59 Cal.App.4th 348.
(Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. Paula Warren, Appellant
B108453 v.
Div. 1 Donald Warren, Respondent
S066947 Petition for review DENIED.

2nd Dist. People, Respondent
B108533 v.
Div. 4 Joseph Robert Carpio, Appellant
S066799 Appellant's petition for review DENIED.

2nd Dist. B109180 Div. 7 S066802	People, Respondent v. Stafford Bell, Appellant Appellant's petition for review DENIED.
2nd Dist. B109796 Div. 1 S066821	People, Respondent v. Malcolm Bell, an alternative writ Appellant's petition for review DENIED.
2nd Dist. B109824 Div. 3 S066907	People, Respondent v. Anthony Barber, Appellant Appellant's petition for review DENIED.
2nd Dist. B109961 Div. 1 S066932	People, Respondent v. Timothy W. Perry, Appellant Appellant's petitions for review DENIED.
2nd Dist. B110430 Div. 3 S066869	People, Respondent v. Deandre Lamere Lafayette, Appellant Appellant's petition for review DENIED.
2nd Dist. B111807 Div. 1 S066875	People, Respondent v. Willie Ingram, Appellant Appellant's petition for review DENIED.
2nd Dist. B112462 Div. 1 S066865	People, Respondent v. Richard Martinez, Appellant Appellant's petition for review DENIED.
2nd Dist. B112683 Div. 3 S066250	People, Petitioner v. Los Angeles County Superior Court, Respondent Elena Shamis, Real Party in Interest Application for stay and petition for review DENIED.

2nd Dist. Blue Cross of California, Petitioner
B113965 v.
Div. 2 Workers' Compensation Appeals Board, Respondent
S066559 Petition for review DENIED.

2nd Dist. Seven-Up/RCBottling Company of Southern California, Petitioner
B115884 v.
Div. 5 Workers' Compensation Appeals Board, Respondents
S066262 Petition for review DENIED.

2nd Dist. In re Clarence D. Tate
B117261 on
Div. 3 Habeas Corpus
S066826 Petition for review DENIED.

2nd Dist. In re Rodney D. Hopson
B117405 on
Div. 5 Habeas Corpus
S066909 Petition for review DENIED.

2nd Dist. Anthony Oropallo, Petitioner
B117429 v.
Div. 3 Los Angeles County Superior Court, Respondent
S066859 Charlotte Oropallo, Real Party in Interest
Petition for review DENIED.

2nd Dist. In re Antonio A. Cardena
B117621 v.
Div. 1 Habeas Corpus
S066793 Petition for review DENIED.

2nd Dist. Timothy Crayton, Petitioner
B117630 v.
Div. 4 Los Angeles County Superior Court, Respondent
S066941 People, Real Party in Interest
Application for stay and petition for review DENIED.

2nd Dist. In re David Thayne Smith
B117631 on
Div. 7 Habeas Corpus
S066675 Petition for review DENIED.

2nd Dist. Norwegian Cruise Line Limited, Petitioner
B117843 v.
Div. 4 Los Angeles County Superior Court, Respondent
S067525 Judy Groobin, Real Party in Interest
Application for stay and petition for review DENIED.

3rd Dist. People, Respondent
C023067 v.
S066113 Freddie Lee Roberson, Appellant
Appellant's petition for review DENIED.

3rd Dist. In re Zubaidah M., Persons Coming Under the Juvenile Court Law
C023601 -----
S066834 Director of Corrections, Respondent
v.
Ali M. et al., Appellants
Petition for review DENIED.

3rd Dist. People, Respondent
C024416 v.
S066832 Cipriano Saldana, Sr., Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C024483 v.
C024759 Fernando Garcia Avila et al., Appellants
S066979 Appellants' petition for review DENIED.

3rd Dist. People, Respondent
C024449 v.
C023943 Fernando Delgado Gontiz, Appellant
S066129 Respondent's petition for review DENIED.
Kennard, J., and Baxter, J., are of the opinion the petition should
be granted.

3rd Dist. People, Respondent
C024828 v.
S066872 Kevin Lamar Brown, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C024833 v.
S066805 Robert Joe Crawford, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C024979 v.
S066961 Matthew Bernard Smith, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C026001 v.
S066825 Jay R. Thompson, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C026235 v.
S066976 Eugene Alex Piert, Appellant
Appellant's petition for review DENIED.

3rd Dist. In re Curtis LaFontsee
C028064 on
S066831 Habeas Corpus
Petition for review DENIED.

4th Dist. Zondra Schmidt, Appellant
D023799 v.
Div. 1 Morris Friedkin, Respondent
S066954 Respondent's petition for review DENIED.

4th Dist. Paul Bret Boright, Appellant
D023960 v.
Div. 1 County of San Mateo , Respondent
S067004 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D025735 v.
Div. 1 Obasi John Valentine, Appellant
S066386 Respondent's petition for review DENIED.

4th Dist. People, Respondent
D026222 v.
Div. 1 Ricardo Garza, Appellant
S066233 Respondent's petition for review DENIED.
Baxter, J., is of the opinion the petition should be granted.

4th Dist. In re Changella W., a Minor
D027857 -----
Div. 1 San Diego Department of Social Services, Respondent
S066971 v.
Rita S., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
D027952 v.
Div. 1 Richard Franklin Duenas, Appellant
S066798 Appellant's petition for review DENIED.

4th Dist. In re Abdirahman S., a Person Coming Under the
D028122 Juvenile Court Law
Div. 1 -----
S066234 People, Respondent
v.
Abdirahman S., Appellant
Appellant's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

4th Dist. Truck Insurance Exchange et al., Petitioners
D029635 v.
Div. 1 San Diego County Superior Court, Respondent
S066329 Williamsburg Developments et al., Real Parties in Interest
Petition for review DENIED.

4th Dist. In re Bernard Hamilton
D029732 on
Div. 1 Habeas Corpus
S066965 Petition for review DENIED.

4th Dist. Christine McGinnis et al., Petitioners
D029879 v.
Div. 1 San Diego County Superior Court, Respondent
S066657 Baxter Healthcare et al., Real Parties in Interest
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. Raquel Diaz-Ordaz De Perez et al., Respondents
E016968 v.
Div. 2 Larry Hall Trucking Company et al., Appellants
S066786 Appellants' petition for review DENIED.

4th Dist. People, Respondent
E017475 v.
Div. 2 Alejandro Palacios, Appellant
S066112 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E017657 v.
Div. 2 James A. Freeman, Appellant
S066887 Appellant's petition for review DENIED.

4th Dist. In re Victor Manuel Sahagun on Habeas Corpus
E017938 -----
E020643 People, Respondent
Div. 2 v.
S066222 Victor Manuel Sahagun, Appellant
Appellant's petition for review DENIED.

4th Dist. City of San Bernardino Hotel/Motel Association, Appellant
E017944 v.
Div. 2 City of San Bernardino, Respondent
S066763 Respondent's petition for review DENIED.

4th Dist. People, Respondent
E018376 v.
Div. 2 Don L. Mitchell, Appellant
S066881 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019003 v.
Div. 2 Nikolai Tchakoulaev, Appellant
S066852 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019786 v.
Div. 2 Randy Lawrence Rangel, Appellant
S067008 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020555 v.
Div. 2 Cornelius Simon, Appellant
S066873 Appellant's petition for review DENIED.

4th Dist. In re James R. Rankin
E021740 on
Div. 2 Habeas Corpus
S066817 Petition for review DENIED.

4th Dist. In re Cynthia C., a Person Coming Under the Juvenile Court Law
G021127 -----
Div. 3 Orange County Social Services Agency, Respondent
S066389 v.
Sharon C., Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F021486 v.
S066197 Craig K. Simpson, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025275 v.
S066901 Viret Phim, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F025578 v.
S066945 Gerald Lee Devore, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025597 v.
S066845 Michael Ray Rodriguez, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026159 v.
S066953 Terry D. Jones, Appellant
Appellant's petition for review DENIED.

5th Dist. James C. Orr, Appellant
F026299 v.
S067041 Ford Consumer Finance Company, Inc. et al., Respondents
Appellant's petition for review DENIED.
Baxter, J., did not participate.

5th Dist. People, Respondent
F026627 v.
S066973 Manuel Mendoza, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F027093 v.
S066839 Rickey Rene Leverett, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F027286 v.
S066948 Burnis Cleon Banks III, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F027627 v.
S066898 Leonard Seamster, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Appellant

H013854 v.
S057637 Jimmy Wayne Dodson et al., Appellants
 Appellants' petitions for review DENIED.

6th Dist. People, Respondent
H014664 v.
S066017 Francisco Valdez, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015583 v.
S066888 Marvin Nelson Stewart, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015710 v.
H015988 Jesus Moreno, Appellant
S066926 Appellant's petition for review DENIED.

6th Dist. In re Andrew R., a Person Coming Under the Juvenile Court Law
H016252 -----
S066902 People, Respondent
 v.
 Andrew R., Appellant
 Petition for review DENIED.

6th Dist. People, Respondent
H016424 v.
S066321 Charles E. Taylor, Appellant
 Appellant's petition for review DENIED.

6th Dist. In re Dean Robert Anchor
H017623 on
S066189 Habeas Corpus
 Petition for review DENIED.

- 6th Dist. Marjorie A. Davies, Petitioner
H017860 v.
S067488 Santa Clara County Superior Court, Respondent
David N. Davies, Real Party in Interest
Application for stay and petition for review DENIED.
- 6th Dist. Maria Duncan, Petitioner
H017925 v.
S067543 Santa Clara County Superior Court, Respondent
William A. Johnson II, Real Party in Interest
Application for stay and petition for review DENIED.
- 1st Dist. Amvest Mortgage Corporation, Appellant
A074966 v.
Div. 3 Jim Antt, as Commissioner, etc., Respondent
S066688 The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.
- 4th Dist. In re Tanis H., a Person Coming Under the Juvenile Court Law
D028003 -----
Div. 1 San Diego Department of Social Services, Respondent
S067019 v.
Kaine H., Appellant
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.
- S067180 In re the Accusation of Albert Balassy
Against Certain Attorney(s)
Petition DENIED.
- S067257 In re the Accusation of Christopher Charles Lightsey
Against Certain Attorney(s)
Petition DENIED.
- S067283 In re the Accusation of Anthony E. West
Against Certain Attorney(s)
Petition DENIED.
- S067317 In re the Accusation of Neil Stecker
Against Certain Attorney(s)
Petition DENIED.

S011323 People, Respondent

v.

David Esco Welch, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including March 2, 1998.

S016718 People, Respondent

v.

Steven David Catlin, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 27, 1998.

No further extensions of time will be granted.

S016719 People, Respondent

v.

Ralph Michael Yeoman, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 2, 1998.

S030553 People, Respondent

v.

George Brett Williams, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including April 3, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S034110 People, Respondent

v.

Mark Christopher Crew, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including April 6, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S058851 In re Richard Gonzales Samayoa
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including March 3, 1998.

S059739 In re James Robert Scott
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including March 4, 1998.

S061489 In re Barry S. Jameson
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response to the petition for writ of habeas corpus is extended to and including March 2, 1998.

S062432 In re Freddie Lee Taylor
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including March 2, 1998.

S064868 Michael Polydoros, Appellant
 v.

Twentieth Century Fox Film Corp., et al., Respondents

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including March 23, 1998.

S064917 People, Respondent

v.

David Winston Gainey, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's brief on the merits is extended to and including February 27, 1998. No further extensions of time are contemplated.

S011636 People, Respondent

v.

James Nelson Blair, Appellant

Appellant's "Request for Correction of Record" is granted in part and denied in part as specified herein.

1. The Los Angeles County Superior Court is hereby directed to cause the transcript of the attempted murder trial (Los Angeles County Superior Court Case No. A757679) to become part of the appellate record, to the extent that transcript was "filed or lodged in the . . . superior court files" in this case. (Cal. Rules of Court, rule 39.51(a)(1); see Reporter's Transcript at p. 66 [indicating that the superior court ordered a third copy of the transcript for the "court's file"].)

2. Appellant's request to have the transcript from the attempted murder trial for proceedings on July 16, 1985, and July 18, 1985 (referred to at p. 134 of the Reporter's Transcript), included in the appellate record is denied without prejudice to his bringing a new and different request, accompanied by a copy of the superior court's ruling refusing to include these transcripts, and a showing that the transcripts were filed or lodged in the superior court files in this case.

3. Appellant's request to have the Penal Code section 987.9 order (mentioned at p. 161 of the Reporter's Transcript) added to the appellate record is denied without prejudice to his bringing a new and different request, accompanied by a copy of the superior court's ruling refusing to include this order, and a showing that the order was filed or lodged in the superior court files in this case. In all other respects, appellant's request for correction of the record is denied.

S020803 People, Respondent

v.

Richard Bert Stewart, Appellant

Good cause appearing therefor, appellant's motion filed on December 1, 1997, for a supplemental clerk's transcript containing photocopies of the juror questionnaires of the jurors named in that motion is granted. The Contra Costa County Superior Court is hereby directed to cause the voir dire questionnaires, including hardship forms, of the prospective jurors named in that motion to be copied; to cause personal identifying information, specifically, name, telephone numbers, city or general area of residence, and signature, to be redacted from the questionnaires so copied; to cause the questionnaires so copied and redacted to become part of the clerk's transcript; and to cause such transcript to be prepared, delivered, and transmitted as specified in rules 35 and 39.51 of the California Rules of Court.

Good cause not appearing therefor, appellant's motion filed on October 31, 1997, for a further supplemental clerk's transcript, containing photocopies of the photographic and documentary exhibits only, is denied.

S063051 In re Lance Ian Osband on Habeas Corpus

Good cause appearing therefor, respondent's request to disclose the sealed reporters' transcripts of hearings in the case of *People v. Osband* (Sacramento Superior Court No. 74780) is granted. The clerk is directed to furnish respondent with copies of the transcript of hearings conducted on October 29, December 3, and December 30, 1986.

Bar
Misc.
4186 In the Matter of the Application of the Committee of Bar Examiners
of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S041372 In re **Robert L. Mezzetti** on Discipline

Good cause having been shown, the probation of **Robert L. Mezzetti, #24555**, in S041372 (91-O-00889) is extended for one year. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7.

S065977 In re **Charles Edward Smith, Jr.**, on Discipline

It is ordered that **Charles Edward Smith, Jr.**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including 30 days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed August 11, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S065978 In re **Bruce Ronald Safran** on Discipline

It is ordered that **Bruce Ronald Safran** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Regarding Stipulation filed June 24, 1997, as modified by its order filed July 14, 1997, and October 14, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

S065979 In re **Clifton Donaldson Blevins** on Discipline

It is ordered that **Clifton Donaldson Blevins** be suspended from the practice of law for 60 days, that execution of suspension be

stayed, and that he be placed on probation for 60 days subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed October 7, 1997. The period of probation shall be consecutive to that imposed in S043139 (96-PM02520). It is further ordered that he take and pass the Multistate Professional Responsibility Examination, and provide the State Bar Probation Unit with satisfactory proof of his passage of that examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs payable as recommended by the above mentioned order of the State Bar Court are awarded to the State Bar pursuant to Business and Professions Code section 6086.10.

S065980 In re **Marci A. Sandoval** on Discipline

It is ordered that **Marci A. Sandoval** be suspended from the practice of law for two years, that execution of suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation, including actual suspension for 30 days, recommended by the Hearing Department of the State Bar Court in its decision filed September 12, 1997, as amended by its order filed September 25, 1997. It is also ordered that she take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners, and provide the State Bar Probation Unit with satisfactory proof of her passage of that examination, within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S065981 In re **Raymond F. Hills** on Discipline

It is ordered that **Raymond F. Hills** be suspended from the practice of law for four years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed October 2, 1997, including actual suspension for one year and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii),

Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension shall be given for the period of inactive enrollment which commenced on November 15, 1997. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs payable as recommended by the above mentioned order of the State Bar Court are awarded to the State Bar pursuant to Business and Professions Code section 6086.10.

*(See Business & Professions Code, § 6126, subd. (c).)

S065983 In re **Gene Allen Mueller** on Discipline

It is ordered that **Gene Allen Mueller** be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed September 4, 1997, as modified by its order filed September 30, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S066011 In re **Andre K. Silvola** on Discipline

It is ordered that **Andre K. Silvola** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including one years actual suspension, recommended by the Hearing Department of the State Bar Court in its Order regarding stipulation filed October 8, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of

that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S066014 In re **Michael Stuart Pratter** on Discipline

It is ordered that **Michael Stuart Pratter** be suspended from the practice of law for two years and until he makes restitution and provides proof thereof to the Probation Unit, Office of Trials, and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for four years subject to the conditions of probation, including restitution and one year actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving Stipulation filed October 14, 1997. He is ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and shall be payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S066015 In re **George Hernandez** on Discipline

It is ordered that **George Hernandez** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years and until he makes restitution to Marc Gabaldon (or the Client Security Fund, if appropriate) in the amount of \$12,014, plus 10% interest per annum from August 29, 1996, and Maria Gabaldon (or the Client Security Fund, if appropriate) in the amount of \$25,110, plus 10% interest per annum from August 29, 1996, and furnishes satisfactory proof

thereof to the Probation Unit. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed September 10, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

S066097 In re **Stanley Samuel Feinstein** on Discipline

It is ordered that **Stanley Samuel Feinstein** be suspended from the practice of law for five years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 21 months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Regarding Stipulation filed August 19, 1997. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on November 14, 1995. (In re Young (1989) 49 Cal.3d 257, 270). It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

S066099 In re **Thomas A. Loya** on Discipline

It is ordered that **Thomas A. Loya** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Regarding Stipulation filed October 15, 1997, as modified by its order filed October 30, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility

Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

- S067401 In the Matter of the Resignation of **Walter P. Christensen**
A Member of the State Bar of California
The voluntary resignation of **Walter P. Christensen** as a member of the State Bar of California is accepted.
- S067402 In the Matter of the Resignation of **William Anderson Foraker**
A Member of the State Bar of California
The voluntary resignation of **William Anderson Foraker** as a member of the State Bar of California is accepted.
- S067404 In the Matter of the Resignation of **Ralph G. Pagter**
A Member of the State Bar of California
The voluntary resignation of **Ralph G. Pagter** as a member of the State Bar of California is accepted.
- S067405 In the Matter of the Resignation of **S. Wyle Weiman**
A Member of the State Bar of California
The voluntary resignation of **S. Wyle Weiman** as a member of the State Bar of California is accepted.
- S067406 In the Matter of the Resignation of **Charles Emile Tady**
A Member of the State Bar of California
The voluntary resignation of **Charles Emile Tady** as a member of the State Bar of California is accepted.
- S067407 In the Matter of the Resignation of **J. W. Swink**
A Member of the State Bar of California
The voluntary resignation of **J. W. Swink** as a member of the State Bar of California is accepted.
- S067408 In the Matter of the Resignation of **Alan Wilson Peryam**
A Member of the State Bar of California
The voluntary resignation of **Alan Wilson Peryam** as a member of the State Bar of California is accepted.

- S067409 In the Matter of the Resignation of **Robert Leon Pendleton**
A Member of the State Bar of California
The voluntary resignation of **Robert Leon Pendleton** as a member of the State Bar of California is accepted.
- S067411 In the Matter of the Resignation of **Margo Miller Pagter**
A Member of the State Bar of California
The voluntary resignation of **Margo Miller Pagter** as a member of the State Bar of California is accepted.
- S067412 In the Matter of the Resignation of **Melvyn B. Kambel**
A Member of the State Bar of California
The voluntary resignation of **Melvyn B. Kambel** as a member of the State Bar of California is accepted.
- S067415 In the Matter of the Resignation of **Susan M. Hamlin**
A Member of the State Bar of California
The voluntary resignation of **Susan M. Hamlin** as a member of the State Bar of California is accepted.
- S067416 In the Matter of the Resignation of **Saman Taherian**
A Member of the State Bar of California
The voluntary resignation of **Saman Taherian** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.
*(See Business & Professions Code, § 6126, subd. (c).)
- S067494 In the Matter of the Resignation of **Robert Peter Jaramillo**
A Member of the State Bar of California
The voluntary resignation of **Robert Peter Jaramillo** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform

the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S067497

In the Matter of the Resignation of **Walter Benjamin Fey**
A Member of the State Bar of California

The voluntary resignation of **Walter Benjamin Fey** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

**SUPREME COURT CALENDAR
SACRAMENTO SESSION
MARCH 3 and 4, 1998**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Library and Courts Building, Sacramento, California, on March 3 and 4, 1998.

TUESDAY, MARCH 3, 1998 - 9:00 A.M.

S058629	Shulman v. Group W Productions
S061765	Ridgley v. Topa Thrift and Loan Association
S056734	People v. Peevy

2:00 P.M.

S062850	Marriage of Lehman
S014755	People v. Donald Ray Millwee <i>[Automatic Appeal]</i>

WEDNESDAY, MARCH 4, 1998 - 9:00 A.M.

S050870	Toland v. Sunland Housing Group
S061678	People v. Benson

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 10(d), California Rules of Court.

